

The Honorable Richard A. Jones

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

OLEG CHURYUMOV,

C18-0841-RAJ

Plaintiff,

V.

UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES (USCIS),

Defendant

STIPULATED MOTION AND
[PROPOSED] ORDER
REGARDING BRIEFING
SCHEDULE

**Noted on Motion Calendar:
December 6, 2018**

STIPULATION

Plaintiff filed this action seeking review of a decision by U.S. Citizenship and Immigration Services (“USCIS”). Dkt. No. 1. The parties agree that Plaintiff’s action is brought pursuant to the Administrative Procedures Act, 5 U.S.C. § 702. As such, the parties agree that Plaintiff’s case is “an action for review on an administrative record,” falling under a category of cases in Federal Rule of Civil Procedure (“FRCP”) 26(a)(1)(E)(i) that are exempt from the requirements set forth in FRCP 26(a) and (f) pertaining to the “lay down” of discovery, the participation of the parties in a discovery conference, and the presentation of a joint discovery plan.

1 Plaintiff Oleg Churyumov brings his action against Defendant USCIS and alleges that:
 2 “on February 22, 2016, he submitted his Form i-140 (petition for visa of a person with
 3 extraordinary ability) to USCIS. Then, USCIS denied his petition. Plaintiff believes this denial
 4 was unlawful.” Complaint, Dkt. No. 1, III Statement of Claim. As relief, “Plaintiff asks this
 5 Court to revoke the USCIS decision and approve Plaintiff’s i-140 form.” *See id.* at IV, Relief.
 6 Defendant USCIS has answered the complaint. *See* Answer, Dkt. No. 9.
 7

8 Accordingly, the parties respectfully request that the Court accept and approve this
 9 Stipulation, in lieu of a joint status report pursuant to the Court’s Order dated November 15,
 10 2018. *See* Order, Dkt. No. 17. The parties have agreed to the following proposed briefing
 11 schedule for the filing of summary judgment motions and any responses thereto:

- 13 1. Plaintiff shall file a motion for summary judgment, which must not exceed twenty-
 14 four pages, no later than March 21, 2019 and note it on the motion calendar for May
 15 10, 2019;
- 17 2. Defendant shall file its combined response and cross motion for summary judgment,
 18 which must not exceed twenty-four pages, no later than April 18, 2019 and note it on
 19 the motion calendar for May 10, 2019;
- 21 3. Plaintiff shall file his combined response to Defendant’s cross motion and reply to
 22 Plaintiffs’ motion, which must not exceed twelve pages, no later than May 10, 2019.
- 23 4. Defendant shall file its reply, which must not exceed twelve pages, in support of its
 24 cross motion no later than May 10, 2019.

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2 Dated this 6th day of December, 2018
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4

5 s/ Oleg Churyumov
6 OLEG CHURYUMOV
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8 Seattle, Washington 98115
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10 Plaintiff PRO SE
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Dated this 6th day of December, 2018.

ANNETTE L. HAYES
United States Attorney

s/ Patricia D. Gugin
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Attorney for Defendant

ORDER

The parties having so stipulated, IT IS ORDERED that the parties will comply with the above stipulated briefing schedule.

Dated this ____ day of _____, 2018.

**Richard A. Jones
United States District Judge**

1 CERTIFICATE OF SERVICE

2 The undersigned hereby certifies that he/she is an employee/contractor in the
3 Office of the United States Attorney for the Western District of Washington and is a
4 person of such age and discretion as to be competent to serve papers:

5 It is further certified that on this date, I electronically filed the foregoing with the
6 Clerk of the Court using the CM/ECF system, which will send notification of such filing
7 to the following CM/ECF participant(s):

8
9 Oleg Churyumov
PRO SE
10 oleg.churyumov@gmail.com

11
12 I further certify that on this date, I mailed by United States Postal Service the
13 foregoing to the following non-CM/ECF participant(s)/CM/ECF participant(s), addressed
14 as follows:
15

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17 Dated this 6th day of December, 2018.

18
19 */s/ Rebecca L. Clauson*
20 Rebecca L. Clauson, Legal Assistant
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